

## UNITED STATES DISTRICT COURT

for the

South Carolina District of Columbia

Charleston Division

Prinscillia Sumpter guardian of [REDACTED] (Minor)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

South Carolina State Superintendent Ellen Weaver,  
Berkeley County Superintendent Anthony Dixon

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No. 2:24-cv-4423-DCN-MGB

(to be filled in by the Clerk's Office)

2025 AUG -9 AM 9:47  
RECEIVED  
CLERK OF DISTRICT COURT  
SOUTH CAROLINA

## COMPLAINT AND REQUEST FOR INJUNCTION

## I. The Parties to This Complaint

## A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	Prinscillia Sumpter
Street Address	109 Childrens Ln
City and County	St. Stephen
State and Zip Code	South Carolina
Telephone Number	843-459-6886
E-mail Address	prinscilliasumpter3712@yahoo.com

**B. The Defendant(s)**

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title *(if known)*. Attach additional pages if needed.

## Defendant No. 1

Name	Ellen Weaver
Job or Title <i>(if known)</i>	State School Superintendent
Street Address	1429 Senate St
City and County	Columbia
State and Zip Code	South Carolina
Telephone Number	803-734-8500
E-mail Address <i>(if known)</i>	info@ed.sc.gov

## Defendant No. 2

Name	Dr. Anthony Dixon
Job or Title <i>(if known)</i>	Berkeley County School Superintendent
Street Address	107 East Main Street
City and County	Moncks Corner
State and Zip Code	South Carolina 29461
Telephone Number	843-899-8600
E-mail Address <i>(if known)</i>	superintendent@bcsdschools.net

## Defendant No. 3

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	
E-mail Address <i>(if known)</i>	

## Defendant No. 4

Name	
Job or Title <i>(if known)</i>	
Street Address	
City and County	
State and Zip Code	
Telephone Number	

E-mail Address *(if known)* \_\_\_\_\_**II. Basis for Jurisdiction**

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☒ Federal question☐ Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

**A. If the Basis for Jurisdiction Is a Federal Question**

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

Title VI of the Civil Rights Act of 1964: Prohibits discrimination based on race, color, or national origin. Berkeley County School District violate Title VI of the Civil Rights Act of 1964, by race discrimination against my niece Kiley Samuel, a black student at JK Gourdin Elementary. JK Gourdin Elementary is a public school that has been identified as a Title 1 Federal funding project in rural Berkeley County, South Carolina . The closure of JK Gourdin was decided during a budget meeting, which is unheard of and not in good faith. The abrupt decision to close JK Gourdin was based on race discrimination against my niece [REDACTED] and all the other black students attending JK Gourdin Elementary School.

JK Gourdin is closing because more funding is needed to support a prodromently white school such as Canebay in upper Berkeley County School District that is overcrowded with black students, so a school needs to be eliminated, so JK Gourdin a 90 percent prodromently black school is the target.

CaneBay was a prodromently white school that has grown over the last few years to no longer be considered a prodromently white school, so in a effort to move black students from CaneBay through rezoning black neighborhoods, Berkeley County School Board has decided to build a school off of Black Tom road, a rural black area in Berkeley County, which would push the black students attending Canebay out of Canebay and into a black rural area.

JK Gourdin will lose its Title 1 Federal Funding and the cost per student will decrease by \$4,000 per student with such closure, these finacial cuts will be allocated to support the rezoning of black children in upper Berkeley County to make Canebay more prodromently white, which is racial discrimination. There are other white schools within Berkeley County that could have been closed for finaical or poor school performance.

**B. If the Basis for Jurisdiction Is Diversity of Citizenship****1. The Plaintiff(s)****a. If the plaintiff is an individual**

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

The plaintiff, (name) \_\_\_\_\_, is a citizen of the  
State of (name) \_\_\_\_\_.

b. If the plaintiff is a corporation

The plaintiff, (name) \_\_\_\_\_, is incorporated  
under the laws of the State of (name) \_\_\_\_\_,  
and has its principal place of business in the State of (name)  
\_\_\_\_\_.

*(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)*

2. The Defendant(s)

a. If the defendant is an individual

The defendant, (name) \_\_\_\_\_, is a citizen of  
the State of (name) \_\_\_\_\_. Or is a citizen of  
(foreign nation) \_\_\_\_\_.

b. If the defendant is a corporation

The defendant, (name) \_\_\_\_\_, is incorporated under  
the laws of the State of (name) \_\_\_\_\_, and has its  
principal place of business in the State of (name) \_\_\_\_\_.  
Or is incorporated under the laws of (foreign nation) \_\_\_\_\_,  
and has its principal place of business in (name) \_\_\_\_\_.

*(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

No amount is in controversy at this time.

### III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

JK Gourdin Elementary School located in Russellville, Berkeley County South Carolina  
Berkeley County School District located in Moncks Corner, Berkeley County South Carolina.  
Berkeley County School Board located in Moncks Corner, Berkeley County South Carolina.  
South Carolina Department of Education in Columbia, Richland County South Carolina

---

B. What date and approximate time did the events giving rise to your claim(s) occur?

June 24, 2024 at approximately around 6:30pm during a school board budget meeting.

---

C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*

My minor niece attends JK Gourdin Elementary school is a public school. On June 24, 2024 during a Berkeley County School Board budget meeting, the Board abruptly decided to permanently close JK Gourdin Elementary as a budget decision. JK Gourdin is a Title 1 Elementary School that receive Federal Funds under a project to assist students who attend a poverty school. The decision to close JK Gourdin was done based on race discrimination. No advance notice was provided to me the legal guardian of [REDACTED] or any parent who has a child attending JK Gourdin. Under Federal Law, advance notice should have been given to recipients of decision to terminate Title 1 funding through school closure, and appeal rights should have been provided also. Berkeley County School District failed to provide notice of closure or appeal rights to Plaintiff.

Closing JK Gourdin would end her federal funding assistance through South Carolina Department of Education, which such decision is appealable under Federal Law. The decision to close JK Gourdin, which will end Title 1 funding will effect over 100 black students attending JK Gourdin. The decision to close JK Gourdin and end Title 1 has gained media attention throughout the tri-county, which has also involved the NAACP to include pending civil litigation.

Under Federal law when a program/project is discontinued, the recipients have the right to request an appeal. As the legal guardian of my niece [REDACTED], an appeal has been filed within the 30 days allowed to Ellen Weaver, State Superintendent, as required under the statute. Plaintiff is waiting on a response, which allows 30 days, then if decision is unfavor, a claim can be filed in civil court.

Berkeley County School District even after notice of appeal was provided via certified mail by Plaintiff, have decided to move forward with closure of JK Gourdin that will terminate Title 1 funding for my [REDACTED].

Title 1 allow recipients to appeal. An appeal has been filed, unfortunately JK Gourdin is moving forward with closure prior to hearing and or appeals in this matter. Closing JK Gourdin at this point prior to having appeal heard or exhausting all legal remedies will be detrimental and cause irreparable injury to my niece and all of the students attending JK Gourdin. Berkeley County School District has disregarded my right to due process and continues to move forward with closure of JK Gourdin Elementary School.

Plaintiff is asking for an temporary injunction to stop Berkeley County School District from closing JK Gourdin and ending Title 1 benefits until hearing has been scheduled and heard and appeal options have been exhausted.

---

#### **IV. Irreparable Injury**

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.

**VI. Certification and Closing**

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

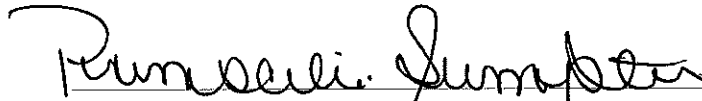
**A. For Parties Without an Attorney**

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 08/04/2024

Signature of Plaintiff

Printed Name of Plaintiff



Princillia Sumpter, Legal Guardian of Kiley Samuel(Minor)

**B. For Attorneys**

Date of signing: \_\_\_\_\_

Signature of Attorney

Printed Name of Attorney

Bar Number

Name of Law Firm

Street Address

State and Zip Code

Telephone Number

E-mail Address